

AMENDMENT TO DECLARATION OF RESTRICTIONS

SECTIONS ONE AND TWO, SAIL HAVEN

THIS AMENDMENT TO DECLARATION, made this 17th day of August, 1978, by HUBERT E. ALLEN and wife, ANNE B. ALLEN, and A. REXFORD WILLIS, JR. and wife, PATTY S. WILLIS, hereinafter referred to as "Declarants";

W I T N E S S E T H:

WHEREAS Declarants by instrument dated November 30, 1976, recorded in Book 187 at page 611, Pamlico County Registry (hereinafter called "the Declaration") established certain restrictive covenants on their lands in Number Five Township, Pamlico County, North Carolina which are shown on the map entitled "SECTION ONE, SAIL HAVEN", prepared by Edward B. Latham, R. L. S. dated June, 1976 and recorded in Map Book 8 at page 7, Pamlico County Registry; and

WHEREAS Declarants have discovered that the said covenants as contained in said instrument are incomplete and should be amended; and

WHEREAS none of the lots shown on the said map has been sold;

NOW, THEREFORE, Declarants hereby declare that all of said lots are held and shall be held, conveyed, hypothecated or encumbered, leased, rented, used, occupied and improved subject to the following Restrictions, all of which are declared and agreed to be in furtherance of the general plan for the subdivision, improvement and sale of said lots and are established and agreed upon for the purpose of enhancing and protecting the value, desirability and attractiveness of the Property. All of the restrictions shall be binding on all parties having or acquiring any right title or interest in and to the real property or any part or parts thereof subject to such Restrictions and shall run with the land. Each lot owner shall have the right to enforce each restriction.

1. The Declaration is amended by inserting the

following paragraph at the end of Section 14 thereof:

Declarants reserve the right to subject the real property in the said subdivision to a contract with Carolina Power & Light Company for the installation of underground electric cables and/or the installation of street lighting, either or both of which may require an initial payment and/or a continuing monthly payment to Carolina Power & Light Company by the owner of each building.

2. All the provisions of the Declaration and of the amendment thereto dated January 20, 1978 and recorded in Book 195 at page 651, Pamlico County Registry, are hereby reaffirmed and redeclared, subject to the foregoing amendment.

IN WITNESS WHEREOF, declarants have hereunto set their hands and seals, the day and year first above written.

Hubert E. Allen (SEAL)
Hubert E. Allen

Anne B. Allen (SEAL)
Anne B. Allen

A. Rexford Willis, Jr. (SEAL)
A. Rexford Willis, Jr.

Patty S. Willis (SEAL)
Patty S. Willis

NORTH CAROLINA - CRAVEN COUNTY

I, Doris M. Adams, a Notary Public in and for said county and state, certify that Hubert E. Allen and wife, Anne B. Allen, and A. Rexford Willis, Jr. and wife, Patty S. Willis, this day personally appeared before me and acknowledged the due execution of the foregoing instrument for the purposes therein expressed.

WITNESS my hand and official seal, this 22 August, 1978.

Doris M. Adams
Notary Public

My commission expires: April 21, 1981

NORTH CAROLINA - PAMLICO COUNTY

The foregoing certificate of Doris M. Adams a Notary Public in and for Craven County, North Carolina, is certified to be correct. This instrument was presented for registration and was recorded in this office in Book 197 at page 372, this 22 day of August, 1978 at 9:45 o'clock A M.

Ida F. McGetter
Register of Deeds